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Barbara Smith

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these are not  
very good  
evaluations)

Model Cities valuation - 1972

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ASOS 21 JUL  
July 28, 1972

Mr. Peter Richardson  
Director  
Model Cities Agency  
301 Second Street  
San Francisco, Calif.

Dear Mr. Richardson:

We are pleased to submit our [Evaluation of the Community Defender Project of Bayview - Hunters Point].

This evaluation was performed over a two week period using consultants from our staff who were assisted by the MCA Evaluation Specialists.

The evaluation team conducted an objective evaluation which was directed to relevant matters of concern to the MCA, the City of San Francisco and HUD.

This evaluation contains the results and recommendations relating to:

- o Goals - Objectives
- o Planning and Citizen Participation
- o Organization - Administration
- o Financial Management
- o Management Information
- o Public/Community Relations

In this evaluation, we were directed to the performance of the project as it presently functions but attempted to present the facts in their proper perspective. At times, this required us to interpret the facts in light of project history and realistic project capability.

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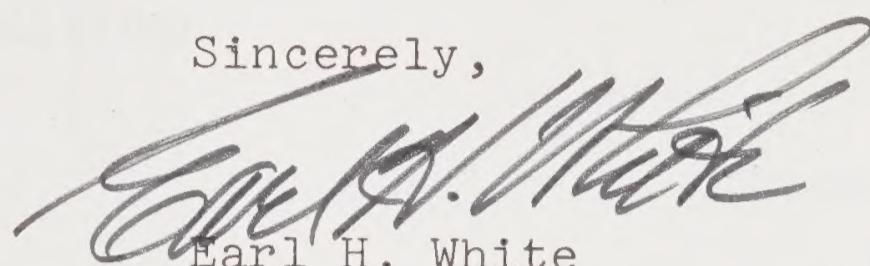
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Mr. Peter Richardson  
July 28, 1972  
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We wish to thank your evaluation staff and all persons who cooperated and assisted our firm in making this evaluation effort possible.

Sincerely,



Earl H. White  
President

Enclosure



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## EVALUATION SUMMARY

In the first year of operation, the Community Defender Program has shown itself to be a valuable community resource that is accomplishing its immediate objectives of providing legal assistance to the residents of the Bayview - Hunters Point Community.

Several of the specified objectives were not achieved in the first action year. However, this does not mean that the program failed to perform up to expectations as much as it indicates that the expectations were too grandiose for this project.

The projected decrease in the crime rate and in the rate of recidivism is unattainable after only one year. Furthermore, it is unlikely that this project can address itself directly to a crime reduction role. The Drug Therapy Program becoming operational may have an effect on the rate of recidivism of drug related crime but this can be measured only at the end of the second, and possibly the third action year.

The proposed reduction in the percent of MNA residents that appear without counsel has been accomplished by exterior factors in the legal system regarding a defendants right to counsel. Most judges now require the presence of an attorney



with a defendant in most courts. Additionally, the objective as written is impossible to validate as correct data rendering this objective useless.

The Community Defender Project has not attained the projected goal of providing legal defense for 350 criminal cases during the first action year. The Community Defender Project has been functioning at full capacity and cannot be realistically expected to accomplish the goal of processing an arbitrarily selected figure without considering staff limitations. As the objective is written, it erroneously suggests that the only measure of this programs' success is in the adding up of the number of cases.

On the contrary, the Community Defender Program indicates success in that it has been able to work for "bargained pleas" and dismissals which keep the court cases down in the statistics but in fact indicates successful service.

The project is well administered and reflects thoughtful planning. Unfortunately, the citizen participation inputs are negligible because of an ineffective and disorganized Task Force. The project's relationship with the community at large is favorable if somewhat restricted. The project still has a relatively low visibility but this visibility will increase in the event the program expands.



The legal assistance and investigative services provided by the Community Defender Project received high praise from all persons interviewed that had utilized the program. Many of these persons also had used the Public Defenders Office in the past and rated the Community Defender far superior by comparison.

#### Recommendations

- The project should expand in order to handle the increasing caseload. At least two attorneys should be added as well as at least one counselor and/or social worker to assist the clients. By necessity, administrative personnel will have to increase by the addition of secretaries and office help.
- The Drug Therapy Program is a valuable component of the project desired by many residents of the MNA. Funds to make this program operational should be allocated.
- The Task Force must receive some training as to its purpose, duties, function, method of operation and communication link to the board.
- The objectives of the project should be rewritten. "Reduce the level of crime in the MNA and the rate of recidivism among persons arrested from MNA to the rest of the city" is not a realistic objective for this project. Furthermore,



court cases are not filed geographically. To compile the base-line data would require many weeks of difficult work in various files at the Hall of Justice and would have to be begun immediately.

- Objectives should be devised that emphasize the quality of service rather than the quantity. Providing "legal defense for 350 criminal cases" is an admirable goal but it doesn't take into consideration staff capability, success in bargaining pleas that avoids court appearance, or dismissals. Perhaps a more qualitative, yet quantifiable measure of relative success would be to compare the loss to prison and dismissal rates with the Public Defender.
- The CDA staff has made several "educated guesses" that indicate the Community Defender Project may sustain severe budget cuts after the second action year. To prepare for this eventuality, it is strongly recommended, at the insistence of CDA, that the Community Defender Project devote as much effort as possible to secure alternate funding.



## Section I

### INTRODUCTION



Briefly stated, the Community Defender Project is intended to provide legal defense and supportive legal services to residents of the Bayview - Hunters Point Community. The project is designed to assist persons of limited income with legal problems as an alternative to the Public Defender.

#### Purpose of Evaluation

The purpose of this evaluation is to measure to what extent the project has succeeded in meeting specific objectives, to record and analyze any difficulties encountered that may be inhibiting the project from accomplishing these objectives, and to make appropriate recommendations to improve operation and results.

#### Evaluation Procedure

The Evaluation of the Community Defender Project was conducted in three (3) phases:

##### Phase 1: In Depth Study of the Functioning Project

This phase consisted of a complete examination of the Community Defender Project; the organization, administration, operation and management. Phase 1 consisted of two major tasks, each of which is described below:

###### Task 1: Review Pertinent Written Material

The Contract, Project Information Sheet, Project Analysis, Project Output Summary Reports, the



Community Defender By-Laws, Budget Information, Organization Charts and other such materials were reviewed. This review gave the evaluators the broad understanding of the project that was required to conduct meaningful interviews in Task 2.

Task 2: Evaluation Team Interviews with Key Personnel and All Concerned Parties

Evaluators conducted interviews with the following:

- director and staff of the Community Defender Project. This included the project director, chief legal counsel, two staff attorneys and two investigators.
- program beneficiaries (clients). Personal interviews were conducted with clients at the Community Defender Office. A telephone interview was conducted with clients randomly selected from the files.
- Law-Justice Task Force.
- citizen participation component.
- community residents (non-clients). Businessmen in the area were selected at random as well as persons on the streets of the neighborhood.



- Public Defender.
- Appropriate City Demonstration Agency Staff.

#### Phase II: Analysis of Data

Based on the review of all written material and the interviews conducted, we prepared the evaluation as requested. Our major task was to identify major areas for improvement in the project.

#### Phase III: Preparation of the Evaluation and Recommendations

Based on the information gathered and reviewed in the above two phases, the evaluators developed the evaluation and made the appropriate recommendations.

This general approach detailed above has been extensively tested and proven in other evaluative engagements. The evaluators are certain that it satisfactorily meets the evaluation needs of the Community Defender Project.



Section II  
HISTORICAL BACKGROUND



The Community Defender Project is actually an outgrowth of the Aid in Criminal Defense Project that was administered by the Bayview - Hunters Point Foundation for Community Improvement. The Aid in Criminal Defense was set up with MNA support in February of 1971 as a result of the continued delay in the release of Model Cities funds. Monies were finally allocated and the Community Defender Project became operational under Model Cities in September of 1971.

The program currently provides free legal service to adults and juveniles from the MNA that have gross earnings of less than \$4,500 annually (\$90 per week) without dependents. (An additional \$25 will be allowed for each dependent). Persons whose income exceeds this figure may utilize the service provided the attorneys have sufficient time to handle their cases. These persons pay a fee in accordance with their income.

The program is staffed with an executive director, chief legal counsel, two staff attorneys, two investigators from the MNA, an administrative secretary, a clerk typist, and a part time social worker. Additionally, several law school students periodically work on a volunteer basis.

The Community Defender Project is located at 1501 Galvez Street and is open from 8:30 to 5:00 P.M., Monday through Friday. The defender's telephone number (285-6200) is answered twenty four hours each day.



Since its inception, the Community Defender Project has consistently been demonstrating its value to the community by providing free legal assistance to the MNA.



### Section III

COMMUNITY DEFENDER PROJECT: A SURVEY



### Procedure

When clients are able, they come to the office where they are interviewed to determine financial and residential eligibility and to obtain the facts of the case and client background. The chief counsel reviews the case and assigns an attorney who schedules a client interview as soon as possible, generally the same day. The attorney then makes an investigation and legal research assignments, and initiates a case management and diary card for the file. Thereafter the client is provided written notification of subsequent court dates and office case conferences until the case is closed. Statistical data is compiled and preserved for reports to funding agencies, planners and evaluators. For those prospective clients who are found to be inelligible, the Community Defender makes appropriate referrals or assists them in securing private counsel. For those MNA residents who are accused of crimes and are unable to be released on bail, initial information is taken over the telephone. As soon as they are able, an attorney visits the in-custody client and makes arrangements for his case. Furthermore, as the case develops, the attorney continues to visit the client in custody to keep them informed of developments in their case.

Unfortunately, lawyers' valuable time is being squandered by devoting many hours to this important but relatively



simple matter. If the project had an increased staff, keeping clients informed of case developments could be handled by a social worker or counselor who could be briefed by the attorneys and in turn, brief the client.

Most of the clients learn of the project through the community. About 90% of the referrals are done in this way. The remainder come from the Public Defender's Office and other agencies.

#### Project Expansion

The project is quite capable of expanding provided the staff increases. In fact, the project will probably shrink if additional lawyers are not added. Many cases now pending have been held over on the court calendars. This hold-over necessitates spending more time with a case than originally anticipated. The expenditure of this time prevents the handling of new cases. By way of explanation, consider this hypothetical example:

Assume that the project can adequately process 350 cases this year. Of this 350, assume that 75 cases will be held over on a superior court calendar. This would mean that for the next year, with no increase in staff and caseload capability, the project could assume only 275 new cases.

In effect, this shrinks the project.



Throughout our interviews with the staff of the program, community residents and community beneficiaries of the Community Defender Project, it was often pointed out that this program could triple in size and still have enough client business to keep them occupied. It is worth noting that the project has done little promoting to attract clients. Promotion is unnecessary as the community has generated plenty of client referrals. If the Community Defender Project were to advertise, they would likely be swamped with more clients than they could handle.

It is realistic to expect that more and more clients will seek out the Community Defender Project as its successes continue to increase and the word spreads about this service

#### Recommendation

It is the conclusion of the evaluators that this project at least double the number of staff attorneys in order to handle the increasing caseload.

#### Drug Therapy Program

Since many crimes committed in the MNA are drug related, it is crucial for the Community Defender Project to focus on this problem. The drug program, as planned, includes short term methadone detoxification, educational, rehabilitative, psychiatric and counseling services to the individual and to the members of his family.



The drug program currently has a staff of ex-addict volunteers and a warehouse being renovated to serve as the center for the program in the MNA. The project has been planned with the assistance of the Department of Public Health and can be operational as soon as funding is received.

In the majority of the evaluation team interviews with clients, the most consistently requested addition to the Community Defender Project was the drug therapy program. Several clients recounted incidences of how they had attempted to enroll in other drug programs in the city but never managed because of a backlog of applicants and procedural delays. It is our opinion that addicts who want to help themselves, shouldn't have to wait.

#### Recommendation

The Drug Therapy Program should be given priority consideration for immediate funding.



Section IV  
GOALS AND OBJECTIVES



The contract specifically designated that certain objectives be attained in the First Action Year. This section is an analysis of these objectives and to what degree they were/were not accomplished. To discuss these goals systematically, they have been divided into three categories:

Long-Range Goals

Short-Range Goals

Immediate Objectives

Long-Range Goals

- Reduce the level of crime in the MNA and the rate of recidivism among persons arrested from MNA to the rest of the city. After only the first reading, the evaluators questioned if this objective realistically fits into the Community Defender Program. The Community Defender is designed to assist persons accused of crimes, not as a crime prevention program. Admittedly, the project can have an influence in reducing crime but only in a subtle, peripheral way. Only direct action, such as the Drug Therapy Program, can be expected to have some influence on the crime rate. It is suggested that program planners through project analysis, re-examine this objective to determine its relevance regarding the Community Defender. The evaluators consider this objective very unrealistic.



At any rate, to measure the impact on the crime rate would require the project to function for at least two years before such an effect may be measured.

The same holds true for an accurate measurement of the recidivism rate. Coupled with this time factor, there is a problem of compiling reliable statistics.

Goals of this magnitude will require much more time to accomplish as one year is too short a "track record" to realistically expect this type of result.

#### Short-Range Goals

- Reduce the number of MNA residents who appear in court from 85% to 20%. This goal has been influenced by an exterior factor that renders it obsolete. According to lawyers, judges rarely allow a defendant to represent himself without legal counsel present. Recent Supreme Court decisions have, for the most part, made it mandatory for defendants to have lawyers present with them in the courtroom, even in misdemeanor cases. It was explained that many defendants appearing with court appointed Public Defenders are very uncooperative with their attorneys because of a tremendous lack of trust on the part of the client. However, whether or not a client chooses to maximize his attorney is his



business. The point is that almost all defendants appearing in court have counsel. Additionally, the goal is irrelevant because it was written based on questionable data. The statistic "85%" cannot be validated as no records were found indicating that, at some point in time, 85% of MNA residents were appearing for preliminary arraignment without counsel.

#### Immediate Objectives

- Provide legal counsel to persons from MNA unable to afford legal advice or defense. The Community Defender Program has consistently been providing this type of service to residents of the MNA. Eligibility requirements are based upon resident's income which must not exceed \$4,500 per year gross without dependents. (An additional \$25 is allowed for each dependent).
- Provide community investigators and research services for the Community Defender and back up services for the Public Defender in MNA cases. The Community Defender Project has two investigators in its services. These investigators were picked by the director because of their familiarity with the community. The investigators received training from private investigators



of a well-regarded firm in the Bay Area. The training consisted of classes three times a week for three months. Presently, the firm will assist the Community Defender Project when their own investigators need additional assistance.

The investigators were often praised for their ability to "melt into the community" and obtain information. The Public Defender's Office frankly admitted that the Community Defender investigators performed better than the Public Defenders Office. The reason cited was that being community residents they are trusted in the community. By comparison, until very recently the Public Defenders Office didn't have any black investigators which made information gathering in the MNA almost impossible for the Public Defender.

The investigators have various functions which include gathering information for staff attorneys, serving subpoenas and serving as witnesses when necessary.

The investigators are not being utilized by the Public Defenders Office. The Public Defender said he rarely called on the investigators for assistance, a fact verified by the investigators themselves.



- Provide legal defense for 350 criminal cases for MNA residents during the First Action Year. To determine whether or not the project has accomplished this objective requires a more precise definition. On the surface, according to the output summary reports, it would appear that the program is handling fewer cases than projected (282 out of a projected 350). However, this can be grossly misleading. Many cases that come to the Community Defender result in dismissals or conditioned pleas that can cut the number of criminal cases for MNA residents.

If the Community Defender can keep some MNA residents out of court, it is obviously better for them. Therefore, to judge the program solely on the basis of an arbitrarily selected figure is to do a disservice to the program.

On the contrary, the evaluation team is inclined to believe that the Community Defender Program is at least accomplishing its goals of providing "legal defense." At a minimum, it is matching the quality of service offered by the Public Defenders Office. The Public Defender went even farther by saying that the Community Defender is "doing a better job than we (Public Defenders) are." The reasons for this is



that clients can freely choose to utilize the Community Defender or not. The Public Defenders are usually assigned without the client having any sort of option. Additionally, the clients view the Public Defenders Office very negatively as "part of the judicial system that includes the police, the courts, and the jailhouse." The fact that clients can be searched by the police when they enter the Hall of Justice to attend an appointment with the Public Defender reinforces this negativism. On the other hand, the clients expressed trust and confidence in the Community Defenders. When such trust exists, it is only logical that the clients will openly provide information to assist the lawyers in the preparation of their cases. This more thorough case preparation often enables the Community Defender to make better "bargained pleas" for their clients. Often, this means that the Community Defender can convince the District Attorney not to make a case. In this way, many cases can skirt the courts which holds down the number of criminal cases that appear in court ..... and appear in the statistics.



## Section V

### PLANNING AND CITIZEN PARTICIPATION



Ideally, planning activities should produce projects and activities pertinent to and intended to meet stated problems, goals and objectives; they should be based on the continuing evaluation of the operations of the entity and incorporate citizen participation input in a meaningful, valid manner. By this criteria, the Community Defender's planning activities are something less than ideal. In this case, citizen participation inputs are largely mythical.

The purpose of citizen participation is to insure that community residents exert influence on project developments since these projects are to benefit the community. The representative body for CP is the Task Force.

The primary function of the Task Force is to act as the voice of the community and to evaluate and monitor the project. The Task Force represents citizen review of the progress of the project and makes recommendations to produce better performance and service.

Unfortunately, the Task Force for the Community Defender Project is failing miserably. This failure is exemplified on a two month lag (May, 1972) as at the time necessary second year proposals be approved. To accomplish this, a staff member of CDA took the initiative and called the Task Force together. As of this writing, the Task Force appears to be in a state of disarray. As an example



of disorganization, two Task Force persons gave two different times for the meetings; one stated that meetings were held twice a month and the other claimed meetings were held every Thursday.

During evaluation team interviews with members of the Task Force regarding contributed inputs, the most common reply was that this Task Force has contributed nothing. It was maintained that the Task Force was never given any direction or support. The members underscored the fact that the Task Force was genuinely interested in making contributions but didn't know what, how, or when this could be done. Criticism was levied against the CP Office for what was described as "their failure to disseminate information about the duties of the Task Force." The conclusion reached by some Task Force Members was that the "Task Force is meaningless."

The staff of the CDA familiar with this Task Force agreed with the harsh analysis expressed by these members. It was emphasized that training is necessary for the Task Force if it is expected to contribute to the project in any meaningful way.

#### Recommendation

The obvious shortcomings of this Task Force indicate that the Task Force desperately needs orientation and training regarding their duties and functions. The training should include instruction concerning purpose, method of operation, and communication links to the project.



## Section VI

### PROGRAM ADMINISTRATION AND ORGANIZATION



The administration of this project is one of the strong areas of the Community Defender. This is mainly due to the professional expertise of the administrative staff that has pulled together an organization of carefully selected key people to handle the complexities of the administrative duties. One of the key people that has been with the project from its infancy is the executive director who is directly responsible for the operation of the overall program. The chief counsel also plays an important part in the project's administration. He, along with the executive director, has combined together years of professional administrative expertise to insure the high degree of excellence that is required for a project such as this one.

Volunteer staff personnel has been recruited from various agencies and educational institutions to assist in the statistical, reporting procedures and other data collections that is an on going phase of the project.

Among the project staff, there seems to be no visable internal problems. There is a complete line of administrative responsibilities with all of the staff involved in this project. The staff has a clear understanding of there roles and responsibilities and carry them out accordingly.

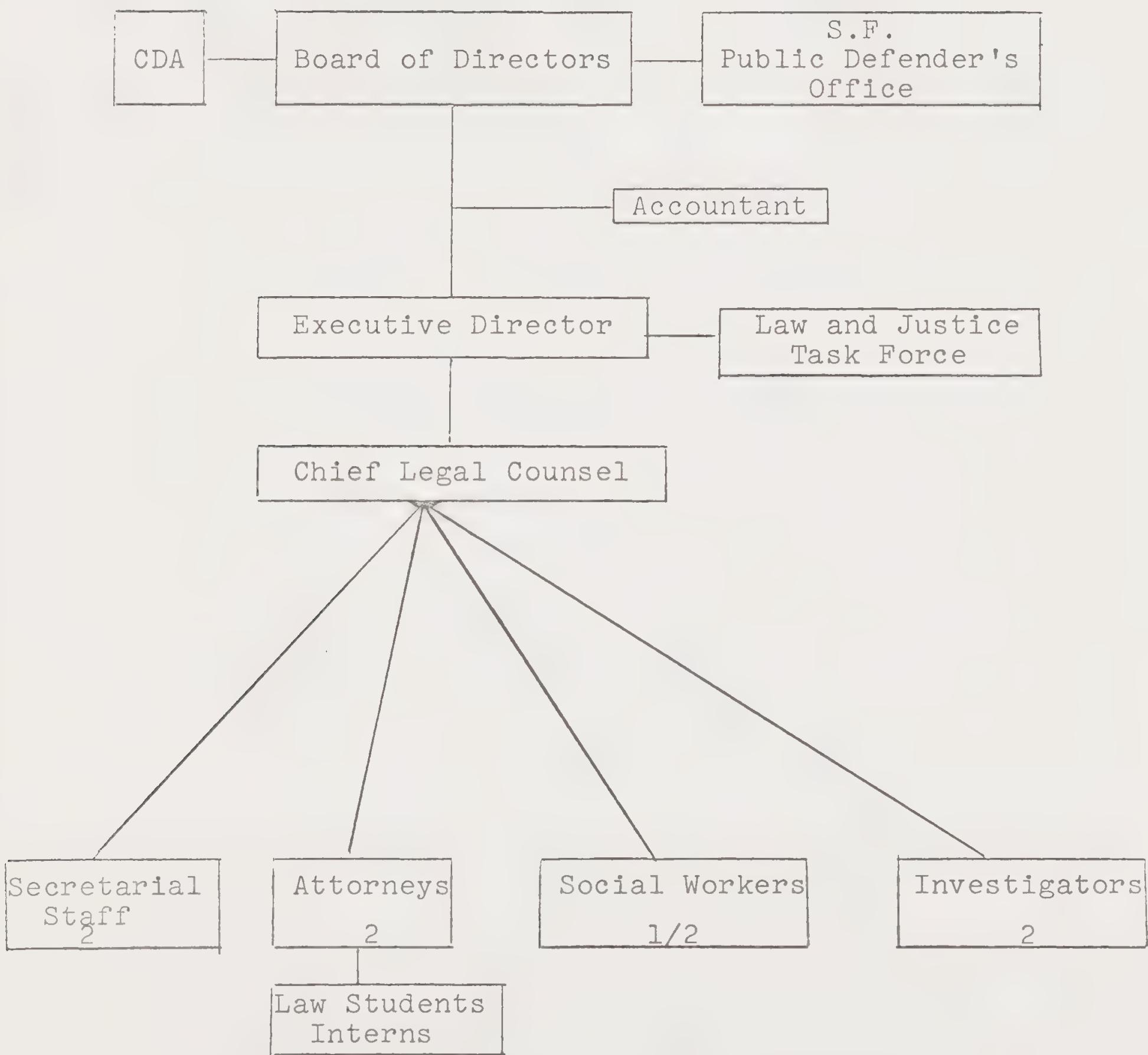
In conclusion, there presently exists within the total staff a feeling of unity and togetherness that exemplify a



model that all MNA projects should have to provide the desperately needed tools for community resources in the MNA.

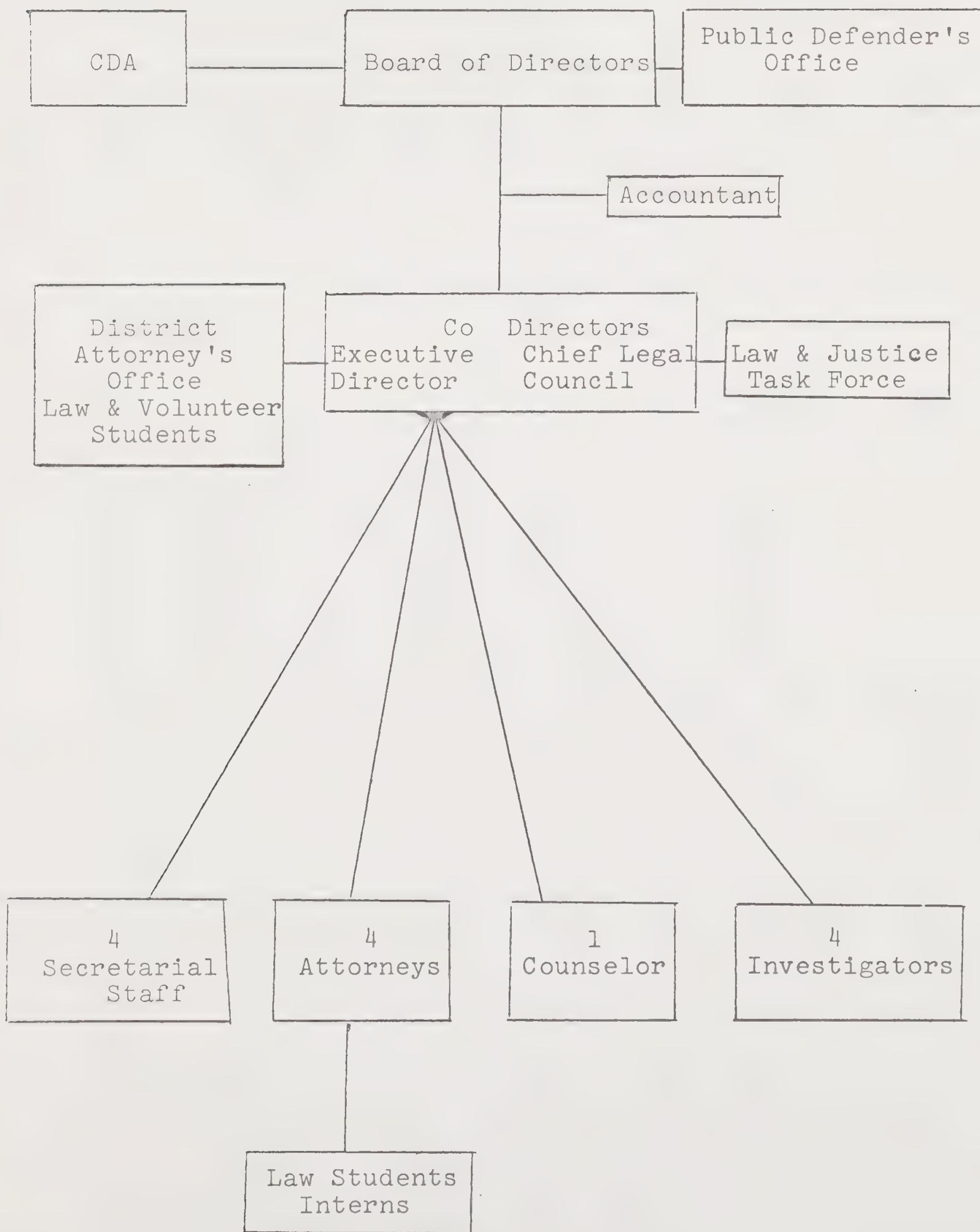


FIRST ACTION YEAR





PROPOSED SECOND ACTION YEAR





Section VII

FINANCIAL MANAGEMENT  
AND  
MANAGEMENT INFORMATION



### Management Information

The management information system for the Community Defender provides the operating agency, as well as other agencies related to the project, management and fiscal information.

At one time, the project experienced some difficulty in reporting procedures and other management information related to the project. This problem was resolved by assigning a part-time law student the task of developing a reporting format to be used as a model for the program. He, along with a CDA evaluation specialist and a management consultant, designed a reporting system to meet the needs of the project.

There is no visable management information system chart displaying detailed information concerning roles and responsibilities of each program and persons related to the project. Even though no formal chart exists specifying roles and responsibilities, the staff has enough experience and professional expertise to operate without any degree of difficulty.

### Financial Management

Financial management reporting procedures of the Community Defender are clearly defined. Financial reports are given on a monthly basis to CDA and the Board of Directors summarizing the financial status of the program. A summary is also given to secure financial accountability of all expenditures occurred during the reporting period.



Section VIII  
PUBLIC/COMMUNITY RELATIONS AND IMPACT



The Community Defender Project has a very good relationship with the entire MNA. Most persons agree with the client that stated, "its the best thing ever put out here."

However, the Community Defender Project has a relatively low visibility; there are still many persons who have never heard of the project. Part of this can be explained by the fact that most people wouldn't have knowledge of such a program unless they were actively looking for legal assistance. Also, many persons refuse to divulge any information when directly questioned about the program. This is an understandable pattern of behavior to be expected from persons of that particular community. It is mentioned here to illustrate that some persons who are known to be familiar with the project, deny to know anything about it because of a suspicious nature produced by their environment. The fact that 90% of referrals are produced in the community indicates that this project is known and respected in the community.

One significant factor that contributes to good community relations is that most of the staff of the project are MNA residents. It has been mentioned elsewhere in this report how the investigators are well-known, respected members of the community. The same is true for most of the staff members.



Many businessmen and agency representatives in the area expressed both knowledge and confidence in the program. One interviewee interestingly pointed out that the Community Defender's Office had never been burglarized; a rarity for the area and was interpreted to indicate that the community views the project favorably and with respect.

Additionally, the Community Defender Project performs a variety of functions that have significant community impact and further the long-range goals of the program. Following is a brief survey of these functions:

#### Employment Assistance

The director of the program has mailed out over one thousand letters to businessmen in the community in an effort to develop job opportunities. Additionally, contact is maintained with employers of jailed clients in order to keep those jobs available for the clients when they are released from custody. Regretably, the community employment agency isn't large enough to adequately service the project and its particular clientel. Finding jobs for these clients is extremely difficult for the following reasons:

- employment opportunities in a depressed community during a recessionary period are minimal.
- reservations on the part of the business community to hire persons with criminal records.



The importance of employment assistance cannot be over-emphasized. Judges often say that "if the client had a job, he would be put on probation." To this end, efforts are being made to develop employment opportunities in the MNA for clients.

#### Inmate Community Communications

Channels of communication are maintained at all times between incarcerated MNA residents and the community lest they lose contact with their family, friends and employers. This contact is essential as it helps to prevent frustration and isolation of the jailed client.

The director, with one or more staff members, makes weekly visits to the city and county penal facilities and a monthly visit to the state correctional facilities in the area. In addition to keeping the client informed of legal actions taken in their behalf, personal messages are delivered from family and employers.

#### Youth Guidance Project

Still in the planning stage, this project is aimed at helping youngsters between the ages of six and fifteen who may be in danger of falling into trouble, or who have come to the attention of the juvenile authorities either for involvement in delinquent behavior or parental neglect. The program plans to match each youngster with a young adult volunteer with a similar background who is currently "making" it in our society. Primary



emphasis is upon a positive relationship between the youngster and his young adult counselor.

This project is closely patterned upon the successful "Give-A-Damn" Project of Marin City, California.

#### Rumor Control Switchboard

Also in the planning phase, this project will operate a switchboard on a 24 hour basis to spike rumors and to verify facts regarding incidents that affect the BVHP community. In non-emergency periods, the switchboard will relay information regarding drugs, local health concerns and other matters of interest to the community. The switchboard will be funded with private monies solicited by the Community Defender Project.



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